

DEC-09-2003 12:56

BURNS DOANE

703 836 2021 P.01

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DATE: 09 December 2003

RECIPIENT INFORMATION		SENDER INFORMATION	
To:	Examiner Iraj A. MOHANDESI	From:	Dave Ream
Voice Tel. No.:	1.703.305.3242	Voice Tel. No.:	1.703.299.6882
Fax Tel. No.:	1.703.872.9314	Sent By:	rsc
Your Ref.:	10/058,414	Our Ref.:	031220-202
		Total Pages (Incl. Cover Page):	5

RE: Advisory Action mailed 05 December 2003

MESSAGE:

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Any questions regarding compatibility should be directed to our Office Services Department at +1.703.836.6620.

Patent
Attorney's Docket No. 031220-202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Darin Denton, <i>et al.</i>)	Group Art Unit: 2834
)	
Application No.: 10/058,414)	Examiner: Iraj A. MOHANDESI
)	
Filed: 30 January 2002)	Confirmation No.: 4746
)	
For: ROTOR COOLING APPARATUS)	
)	
)	
)	

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AMENDMENT/REPLY TRANSMITTAL LETTER

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are _____.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted ___, on ___, for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least ___, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

(10/03)

Amendment/Reply Transmittal Letter

Application No. 10/058,414Attorney's Docket No. 031220-202

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☒ No additional claim fee is required.☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$86.00 (1201) =	
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					
If small entry status is claimed, subtract 50% of Total Claim Amendment Fee					
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					

☐ A total fee in the amount of \$ _____ is enclosed.☐ Charge \$ _____ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

➤ No fees are required in connection with this submission, because the Office Action mailed 21 May 2003 was Non-Final and a responsive Amendment was filed on 21 October 2003; the Advisory Action mailed 05 December 2003 and refusing entry of the Amendment is wrong.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 09 December 2003By: M. David Ream

M. David Ream

Registration No. 35,333

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(10/03)

Patent
Attorney's Docket No. 031220-202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
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Darin Denton, <i>et al.</i>)	Group Art Unit: 2834
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Application No.: 10/058,414)	Examiner: Iraj A. MOHANDESI
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Filed: 30 January 2002)	Confirmation No.: 4746
)	
For: ROTOR COOLING APPARATUS)	
)	
)	
)	
)	

REPLY TO ADVISORY ACTION

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Advisory Action mailed 05 December 2003, Applicants note that the Advisory Action and the Examiner's refusal to enter the Amendment filed 21 October 2003 are *improper* because the Office Action (mailed 21 May 2003) to which the Amendment responded was a *Non-Final* Office Action.

Accordingly, the Amendment filed 21 October 2003 must be entered as a matter of right.

Applicants respectfully request withdrawal of the Advisory Action, entry of the 21 October 2003 Amendment, and issuance of an Office Action fully responsive to the Amendment.

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Attorney's Docket No. 031220-202

Application No. 10/058,414

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In the event any questions arise regarding this communication or the application in general, please contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 09 December 2003

By: 

M. David Ream
Registration No. 35,333

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